

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

SARA LEA NOYES,

Plaintiff,

V.

MICHAEL J. ASTRUE, Commissioner of
Social Security,

Defendant.

CASE NO. C09-5102 FDB

ORDER ADOPTING REPORT
AND RECOMMENDATION
AFFIRMING ADMINISTRATIVE
DECISION

The Magistrate Judge recommends that the Court should conclude that Sara Lea Noyes was properly denied social security benefits because application of the proper legal standard and substantial evidence support the Administrative Law Judge's (ALJ) finding that Plaintiff is not disabled. Plaintiff has filed a Request for review by District Judge which the Court construes as objections to the Report and Recommendation. See Fed. R. Civ. P. 72(b).

The sole objection of Plaintiff is that the ALJ did not consider additional medical records that were filed with the request for review by the Appeals Counsel. The Court is not persuaded by Plaintiff's objections. As detailed by the Magistrate Judge, the ALJ properly relied on contemporaneous evaluations and reports in determining Plaintiff was not disabled during the relevant time period.

1 The Court, having reviewed Plaintiff's complaint, the Report and Recommendation of Judge
2 J. Richard Creatura, United States Magistrate Judge, the Request for review (Objections to the
3 report and recommendation), and the remaining record, does hereby find and ORDER:

4 (1) The Court adopts the Report and Recommendation;
5 (2) The administrative decision is AFFIRMED; and
6 (3) The Clerk is directed to send copies of this Order to counsel of record.

7 DATED this 2nd day of October, 2009.

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13 FRANKLIN D. BURGESS
14 UNITED STATES DISTRICT JUDGE
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